

file complaint forms which include the type of complaint and the action taken.

- If a consumer services officer, lawyer, newspaper columnist or other mediator is brought in, co-operate. If you don't, they may assume the customer's complaint is completely justified.
- Be prepared to negotiate. Bending a rule, particularly when some issues remain in doubt, may earn you a steady customer.
- Admit your errors frankly. Don't argue or contradict. Be calm and considerate. Explain fully. It takes skill and experience to cope with complaints.
- Remember that initial dissatisfaction, if not corrected, can lead to loss of customers.
- If you are certain the customer is mistaken, politely but firmly explain your reasons. If the complaint involves your refund and exchange policy, point out your prominently-displayed refund and exchange policy notice.

For further information, contact the:
Consumer Information Centre
Ontario Ministry of Consumer and
Commercial Relations
555 Yonge St.
Toronto, Ont. M7A 2H6
(416) 963-1111
TTY/TDD (416) 963-0808
Collect calls are accepted.

Consumer Services Bureaus

250 Windsor Ave., 6th floor
Windsor, Ont.
N9A 6V9
(519) 254-6413

Box 5600, Terminal 'A'
London, Ont.
N6A 2P3
(519) 679-7150

P.O. Box 2112
119 King Street West, 5th Floor
Hamilton, Ontario
L8N 3Z9
(416) 521-7554

555 Yonge St.
Toronto, Ont.
M7A 2H6
(416) 963-0321

139 George St. N.
Peterborough, Ont.
K9J 3G6
(705) 743-8728

1673 Carling Ave., Suite 102
Ottawa, Ont.
K2A 1C4
(613) 725-3679

199 Larch St., 5th Floor
Sudbury, Ont.
P3E 5P9
(705) 675-4378

P.O. Box 5000
Thunder Bay, Ont.
P7C 5G6
(807) 475-1641

REP 3/82—10M
ISBN 0-7743-6271-5

3 1761 11469/38 6

Consumer complaints: both sides of the coin.

The customer *isn't* always right—but neither is the store owner, sales clerk, plumber, home renovator or manufacturer. Consumers sometimes do not read the store's "No returns" sign. Or products may not live up to sales claims. As a result, thousands of complaints are lodged every year in Ontario. Some arise from misunderstandings and can be easily remedied. Others are serious and may wind up in court. Most can be settled if the buyer and seller recognize each other's rights and responsibilities and use common sense.



Ontario

Ministry of
Consumer and
Commercial
Relations

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Publications

For the consumer

Preventive medicine

By following these simple guidelines consumers will avoid many problems.

- Comparison shop. By looking at prices, guarantees, service agreements and other features in several stores, you can avoid the frustration of discovering you could have received a better deal elsewhere.
- Buy from reputable businesses. Check a company's reputation with the local Better Business Bureau. Ask friends and relatives where they shop for specific items.
- Ask about the store's policy on refunds and exchanges. You may not be entitled to them.
- Choose carefully. Have a firm idea of what you are looking for before shopping. Avoid impulse buying.
- Remember that all contracts are binding. If you change your mind about a purchase or find a better price elsewhere, you are still bound by the agreement.
- Keep records of your transactions. This includes sales slips, cancelled cheques, copies of advertisements, contracts, bills and any other materials that document your case.
- Make sure you understand all instructions and terms of the guarantee before buying. If the label on your new sweater says "Dry Clean Only", don't expect it to hold its shape after you wash it.
- Don't believe extravagant claims. If it sounds too good to be true, it probably is.
- Be particularly careful when buying by mail. If possible, don't pay until the goods are delivered.
- When dealing with door-to-door sellers, check their registration with the ministry's consumer services bureau nearest you.

How to complain

- Before going to the store, make sure your complaint is legitimate. Did you have unreasonable expectations about the product? Do you understand the store's refund policy?
- Don't lose your temper. Explain your problem clearly and calmly to the sales clerk.
- If the sales clerk is unable to help you, see the manager. Be prepared to explain what you want done about your complaint.
- Still no satisfaction? Send a registered letter to the person in charge or hand-deliver it. The following information should be included: your name, address and telephone number; the name and type of product purchased, date of purchase and price paid; an outline of

the problem and your attempts to solve it, copies of receipts, work orders and any other documentation; and what you want the company to do about your problem.

- If you have signed an agreement to make regular payments on your purchase, send a copy of your letter to the bank or other financial institution from which credit was obtained.
- If you believe the product doesn't live up to sales claims, advertisements or other representations regarding its size, quality or style, you may be able to cancel the agreement within six months of signing the contract.
- The Business Practices Act, administered by the Ontario Ministry of Consumer and Commercial Relations, protects you against false, misleading or deceptive representations. To cancel a contract, send a registered letter which states: "I exercise my right of rescission under section four of The Business Practices Act." Include your reasons for making the request.
- When dealing with door-to-door sales people additional protection applies. Under The Consumer Protection Act you may, within two working days, cancel a contract for \$50 or more signed in your home. To do this, send a registered letter to the address shown on the contract. You do not have to give a reason for requesting cancellation. If you have paid a deposit, it must be refunded.
- Visit the nearest consumer services bureau for help in preparing letters of complaint or cancellation and to learn about consumer rights and responsibilities. If you are unable to resolve the problem, the staff will mediate on your behalf.
- Negotiate. Although some stores may not give refunds, you may persuade the merchant to exchange your purchase or make alternate arrangements.
- Contact local consumer organizations, the Better Business Bureau or the local Chamber of Commerce and ask for their assistance.
- Get in touch with any industrial or trade associations to which the company or store belongs and ask for assistance.
- File a claim in Small Claims Court if the amount is \$1,000 or less (\$3,000 or less in Metro Toronto). Further information about Small Claims Court is available from the Ontario attorney general's office, listed under Government of Ontario in your telephone directory.

For the merchant

Preventive medicine

One of the best ways to avoid misunderstandings and complaints is to make sure customers understand the store's policy on refunds and exchanges.

- Post notices about your store's refund and exchange policy so that customers can easily read them.
- Be specific. "Absolutely no refunds or exchanges" is more straightforward than "Sales are final."
- If you offer exchanges but not refunds, make sure the buyer clearly understands the difference.
- State clearly to which items your policy does not apply. For example, if you do not exchange bathing suits, make sure the customer knows this.
- Make sure customers understand the conditions. If a sales receipt is required for a refund, state this clearly.

Honesty, of course, is a store's best policy.

- Don't say things you don't mean. Don't claim something will last a lifetime if it will really last only five years with normal use. The customer who may be perfectly satisfied with a product which will last for five years is bound to be unhappy if you raise unrealistic expectations.
- Familiarize your staff with consumer protection legislation. Make sure they know that exaggerated sales claims are prohibited by The Business Practices Act and that contracts may be cancelled for this reason. If they are selling door-to-door, they should understand The Consumer Protection Act, including the provision regarding the two-day cooling-off period.

These additional common sense suggestions may also avert trouble

- Staff should know how long deliveries, repairs and other services will take so don't let them make promises you can't keep.
- If you are unable to deliver on the date promised, call the buyer and explain the circumstances. By affording the consumer this courtesy you may be able to save the sale.
- Make sure all staff understand the company's policies, particularly those involving refunds and exchanges.

How to handle complaints

- Make sure your staff are polite to the consumer and refer all unresolved disputes to you.
- Respond quickly. A customer who feels ignored may become more irate.
- Develop a policy for dealing with complaints and inform your staff. Many businesses require staff to